UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

JOHN T. HIGGINS,

Plaintiff,

V.

CIVIL ACTION

NO. 21-10193-WGY

COMMONWEALTH OF MASSACHUSETTS

And MAURA HEALEY, ATTORNEY

GENERAL,

Defendants.
)

YOUNG, D.J. June 28, 2021

ORDER

For the reasons stated below, this action is dismissed.

On February 2, 2021, John T. Higgins commenced this action by filing a pro se complaint accompanied by a motion for leave to proceed in forma pauperis. On May 20, 2020, Higgins was granted leave to proceed in forma pauperis and was directed to show cause why his complaint should not be dismissed or, in the alternative, file an amended complaint. The Order stated that failure of Higgins to comply will result in the dismissal of this action.

To date, Higgins has not responded to the Court's Order and the time to do so has expired. It is a long-established principle that this Court has the authority to dismiss an action sua_sponte for a party's failure to prosecute his action and his failure to follow the Court's orders. Fed. R. Civ. P. 41(b).

Here, dismissal is appropriate because without plaintiff's active participation, the Court cannot affect the advancement of the case to a resolution on the merits.

Accordingly, for the failure to comply with the May 20, 2021 Memorandum and Order, this action is hereby dismissed.

SO ORDERED.

/s/ William G. Young
WILLIAM G. YOUNG
UNITED STATES DISTRICT JUDGE